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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (optional) RPI-034CPCN	
In re Application of Carl H. June, et al			
Application Number 09/707,087		Filed November 6, 2000	
For METHOD FOR MODULATING T CELL SURVIVAL BY MODULATING BCL-XL PROTEIN LEVELS			
Group Art Unit 1632		Examiner Li, Qian J.	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is: \$ _____.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 12-0080. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the

☐ applicant /inventor

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). 36,683

Signature

DeAnn F. Smith

Typed or printed name

April 2, 2003

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of 1 forms are submitted.

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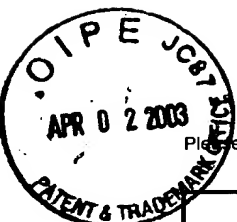
Dated: April 2, 2003

Signature: (Viriato G. Cardoso)

04/07/2003 AWONDAF1 00000074 120080 09707087

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PTO/SB/21 (08-00)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/707,087	
	Filing Date	November 6, 2000	
	First Named Inventor	Carl H. June	
	Group Art Unit	1632	
	Examiner Name	Li, Qian J.	
Total Number of Pages in This Submission		Attorney Docket Number	RPI-034CPCN

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) A pre-paid, acknowledgment postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	LAHIVE & COCKFIELD, LLP DeAnn F. Smith - 36,683
Signature	
Date	April 2, 2003

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Dated: April 2, 2003	Signature: (Viriato G. Cardoso)



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FEE TRANSMITTAL for FY 2003 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	09/707,087	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	November 6, 2000	
		First Named Inventor	Carl H. June	
		Examiner Name	Li, Qian J.	
TOTAL AMOUNT OF PAYMENT (\$)		730.00	Group Art Unit	1632
METHOD OF PAYMENT (check all that apply)		Attorney Docket No.		RPI-034CPCN
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES		
<input checked="" type="checkbox"/> Deposit Account		Large Entity Small Entity		
Deposit Account Number 12-0080		Fee Code Fee (\$)		
Deposit Account Name Lahive & Cockfield, LLP		Fee Code Fee (\$)		
The Commissioner is hereby authorized to: (check all that apply)		Fee Description		
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		Fee Paid		
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1051 130 2051 65 Surcharge - late filing fee or oath		
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.		
to the above-identified deposit account.		1053 130 1053 130 Non-English specification		
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for ex parte reexamination		
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action		
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action		
Fee Code Fee (\$)		1251 110 2251 55 Extension for reply within first month		
Fee Code Fee (\$)		1252 410 2252 205 Extension for reply within second month		
Fee Description		1253 930 2253 465 Extension for reply within third month		
Fee Paid		1254 1,450 2254 725 Extension for reply within fourth month		
1001 750 2001 375 Utility filing fee		1255 1,970 2255 985 Extension for reply within fifth month		
1002 330 2002 165 Design filing fee		1401 320 2401 160 Notice of Appeal		
1003 520 2003 260 Plant filing fee		1402 320 2402 160 Filing a brief in support of an appeal		
1004 750 2004 375 Reissue filing fee		1403 280 2403 140 Request for oral hearing		
1005 160 2005 80 Provisional filing fee		1451 1,510 1451 1,510 Petition to institute a public use proceeding		
SUBTOTAL (1) (\$)		1452 110 2452 55 Petition to revive - unavoidable		
0.00		1453 1,300 2453 650 Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1501 1,300 2501 650 Utility issue fee (or reissue)		
Total Claims ** =		1502 470 2502 235 Design issue fee		
Independent Claims ** =		1503 630 2503 315 Plant issue fee		
Multiple Dependent		1460 130 1460 130 Petitions to the Commissioner		
Large Entity Small Entity		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)		
Fee Code Fee (\$)		1806 180 1806 180 Submission of Information Disclosure Stmt		
Fee Code Fee (\$)		8021 40 8021 40 Recording each patent assignment per property (times number of properties)		
Fee Description		1809 750 2809 375 Filing a submission after final rejection (37 CFR 1.129(a))		
Fee Paid		1810 750 2810 375 For each additional invention to be examined (37CFR 1.129(b))		
1202 18 2202 9 Claims in excess of 20		1801 750 2801 375 Request for Continued Examination (RCE)		
1201 84 2201 42 Independent claims in excess of 3		1802 900 1802 900 Request for expedited examination of a design application		
1203 280 2203 140 Multiple dependent claim, if not paid		Other fee (specify)		
1204 84 2204 42 ** Reissue independent claims over original patent		*Reduced by Basic Filing Fee Paid		
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		SUBTOTAL (3) (\$)		
SUBTOTAL (2) (\$)		730.00		
0.00		**or number previously paid, if greater; For Reissues, see above		
SUBMITTED BY		Complete (if applicable)		
Name (Print/Type) DeAnn F. Smith		Registration No. 36,683		
Signature [Signature]		Telephone (617) 227-7400		
		Date April 2, 2003		

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Dated: April 2, 2003

Signature: [Signature] (Viriato G. Cardoso)